

UNITED STATES DISTRICT COURT
for the
Eastern District of Virginia



In the Matter of the Tracking of
(Identify the person to be tracked or describe
the object or property to be used for tracking)

A 2008 white GMC ACADIA bearing
VIN 1GKER13768J219257 and
Virginia Registration XSA5637

Case No.

3:18SW141

APPLICATION FOR A TRACKING WARRANT

I, a federal law enforcement officer or attorney for the government, have reason to believe that the person, property, or object described above has been and likely will continue to be involved in one or more violations of 21 U.S.C. § 841(a)(1). Therefore, in furtherance of a criminal investigation, I request authority to install and use a tracking device or use the tracking capabilities of the property or object described above to determine location. The application is based on the facts set forth on the attached sheet.

- | | |
|---|--|
| <input checked="" type="checkbox"/> The person, property, or object is located in this district. | <input type="checkbox"/> The activity in this district relates to domestic or international terrorism. |
| <input type="checkbox"/> The person, property, or object is not now located in this district, but will be at the time of execution. | <input type="checkbox"/> Other: |

The tracking will likely reveal these bases for the warrant under Fed. R. Crim. P. 41(c): (check one or more)

- | | |
|---|--|
| <input checked="" type="checkbox"/> evidence of a crime; | <input checked="" type="checkbox"/> contraband, fruits of crime, or other items illegally possessed; |
| <input checked="" type="checkbox"/> property designed for use, intended for use, or used in committing a crime; | <input type="checkbox"/> a person to be arrested or a person who is unlawfully restrained. |

☒ I further request, for purposes of installing, maintaining or removing the tracking device, authority to enter the following vehicle or private property, or both:
4020 Piney Road, Richmond, Va. 23222

☒ Delayed notice of 90 days (give exact ending date if more than 30 days: 09/02/2018) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

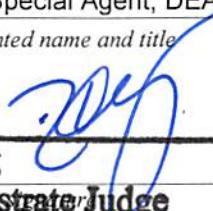

Applicant's signature
Steven J. Aziz, Special Agent, DEA
Applicant's printed name and title

Sworn to before me and signed in my presence.

Date:

6/4/2018

City and state: Richmond, Virginia

/s/ 
Roderick C. Young
United States Magistrate Judge
Roderick C. Young, United States Magistrate Judge
Printed name and title

Affidavit in Support of Tracking Warrants

I, Steven J. Aziz, being duly deposed and sworn state that:

1. This affidavit is offered in support of applications for tracking warrants authorizing the installation and tracking of Global Positioning System (GPS) trackers on the following vehicles used by Leonus Stevenson PETERSON, a.k.a. "DOE," a.k.a. "DOUGHBOY" during his distribution and possession with intent to distribute heroin, Schedule I controlled substance in violation of 21 U.S.C. § 841(a)(1):

- 2008 white GMC SUV Acadia bearing VIN 1GKER13768J219257 and Virginia Registration XSA5637.

2. Your affiant is a Special Agent with the Drug Enforcement Administration and has been so employed for over 14 years. I graduated from the DEA Academy in Quantico in 2004, and have since received specialized training in drug enforcement tactics and techniques. Prior to becoming a DEA Special Agent, I served 9 years as a certified police officer in Massachusetts, responsible for the enforcement of state and local criminal laws and ordinances. During the course of my work as a police officer and as a DEA Special Agent, I have participated in and/or led investigations into the unlawful distribution of controlled substances, the unlawful possession of controlled substances with the intent to distribute and conspiracies to unlawfully distribute controlled substances. I have sought and executed numerous felony arrest warrants and have authored numerous criminal complaints and search warrants leading to convictions in state and federal courts. I also served as an instructor at the DEA Academy in Quantico, teaching courses in drug identification, surveillance, drug trafficking methods, drug

tactics and techniques to basic agent trainees and courses in identifying, investigating and mediating clandestine laboratories to federal and state narcotics agents and officers.

3. This affidavit is based upon information and evidence personally obtained by me throughout this investigation and information received by other law enforcement officers during the course of this investigation. I believe that all of the information contained herein is factual, reliable and truthful. I have included in this affidavit only that information necessary to establish probable cause to support the applications for tracking warrants, and have not included all the facts gathered during this investigation and known to the government.

Facts Establishing Probable Cause

4. In the early morning hours of November, 29, 2017, law enforcement responded to a report of an overdose at a residence in Caroline County, Virginia, located in the Eastern District of Virginia. Upon arrival, the officers found an adult female dead in her bathroom. Her husband, herein referred to as "Target 2," first told a detective on scene and later that morning told me that his wife had ingested heroin that Target 2 got from a male in Richmond, Virginia, that Target 2 knew as "DOE." Target 2 explained that the day before he gave money to a female, herein referred to as "Target 3," who went to Richmond to pick up heroin for Target 2 from "DOE," and brought it back to Target 2 that evening. Through further investigation described below, I determined that "DOE" is the alias for Leonus Stevenson PETERSON.

5. Through the course of this investigation, I have interviewed Target 3 a number of times between December, 2017 and May, 2018. Target 3 admitted that she has known PETERSON since 2013 and purchased heroin from PETERSON on a regular basis during that time. Target 3 estimated that she had made approximately 1,000 heroin purchases from

PETERSON over the years. Target 3 described PETERSON a.k.a "DOE, DOUGHBOY" as a black male, with short hair and a big beard, standing approximately 5'9" tall and weighing about 300 lbs. Target 3 stated PETERSON lives near Chamberlayne Avenue in Richmond. Target 3 identified PETERSON from a photograph as the person she knows as "DOE" or "DOUGHBOY".

6. Target 3 stated that she had made multiple purchases of heroin in the past for Target 2 from PETERSON in varying quantities up to 14 grams of heroin for \$1,400.00 at a time. Target 3 stated that in the evening of November 28, 2017, Target 2 gave her \$700 and had a friend of his, herein after "SOI-1," drive Target 3 to Richmond to purchase seven gram of heroin for \$700.00 from PETERSON. SOI-1 and Target 3 met PETERSON at the McDonald's at Shockoe Bottom, located at 1800 E. Broad Street, Richmond, Virginia. Target 3 said that at the McDonald's, she entered PETERSON's vehicle and handed PETERSON \$700.00, and PETERSON handed Target 3 seven grams of heroin. Target 3 stated that she and SOI-1 drove back to Target 2's house where Target 3 gave the drugs to Target 2.

7. Target 3 stated that she has spent considerable time with PETERSON driving around Richmond with him and witnessed PETERSON's narcotics distribution methods first hand. Target 3 stated that PETERSON's customers usually meet him at a set location picked by PETERSON. Target 3 stated that customers usually only spend a few minutes with PETERSON when purchasing heroin. Target 3 stated that PETERSON usually conducted heroin distributions in one his vehicles, either the white work van or a black Escalade SUV with Maryland license plates. Target 3 has purchased heroin from PETERSON in the past out of both of these vehicles. Target 3 stated that PETERSON also drives a newer white SUV.

8. SOI-1 is friends with Target 2. SOI-1 is an admitted heroin user and customer of Target 2. SOI-1 admitted to me that on the evening of November 28, 2017, he and Target 3 traveled to the McDonald's at Shockoe Bottom, 1800 E. Broad St., Richmond, Virginia, to meet PETERSON to purchase heroin for Target 2. SOI-1 stated that he would drive to Richmond to purchase heroin for Target 2 from PETERSON four times per week. SOI-1 stated that he did not know PETERSON but knew he drove a black SUV. SOI-1 described PETERSON as a large black male with a beard. When showed a picture of PETERSON, SOI-1 stated that was a "good possibility" that the picture was PETERSON. When asked about the trip to meet PETERSON on November 28, 2017, SOI-1 stated that when he and Target 3 arrived at the McDonald's, Target 3 got in a black SUV then exited the black SUV and reentered SOI-1's vehicle. The two drove back to Target 2's house where SOI-1 witnessed Target 3 hand Target 2 the heroin that they had just purchased.

9. I interviewed another source of information (hereinafter "SOI-2"), who admitted to being a regular user of heroin and had received heroin from Target 2 on a number of occasions, including on the evening of November 28, 2017. SOI-2 had known Target 2 for several months prior to November 28, 2017. SOI-2 recalls Target 2 and Target 3 went to Richmond to buy dope about 10 times during that time-period. SOI-2 stated Target 3 and SOI-1 went to Richmond about five times per week to buy heroin for Target 2. SOI-2 stated that he has seen Target 2 give money to Target 3 to buy heroin. SOI-2 stated that he drove Target 3 to Richmond on at least two or three occasions to purchase heroin. SOI-2 stated that Target 3 would buy from PETERSON most times and on one of those occasions, PETERSON got into SOI-2's vehicle and handed Target 3 one gram of heroin. SOI-2 positively identified PETERSON, as "DOE" who sold heroin to Target 3 frequently.

10. I interviewed another admitted heroin user ("SOI-3") who stated she was supplied heroin by Target 2 during the Fall of 2017. SOI-3 stated that Target 2 got his heroin from Richmond through Target 3. SOI-3 stated that one time Target 2 asked SOI-3 to drive Target 3 down to Richmond to purchase heroin. SOI-3 stated that the "connect" was Target 3's heroin dealer. SOI-3 stated that she and Target 3 drove to Richmond and met the heroin dealer near the McDonald's in the Shockoe Bottom section of the City of Richmond. SOI-3 stated that Target 3 did not tell her the heroin dealer's name but did state he was a "big black guy." Furthermore, SOI-3 stated when the heroin dealer arrived at the McDonald's, Target 3 exited SOI-3's vehicle and entered a black sports utility vehicle (SUV). Target 3 then exited the black SUV after a few minutes. The two then drove back to Target 2's residence and delivered the heroin to Target 2.

11. On Monday, May 2, 2018 Tri-County Task Force members conducted surveillance on PETERSON at his known residence of 4020 Piney Road, Richmond, Virginia. Surveillance began at approximately 3:20 p.m. A white sports utility vehicle (SUV) and a black Mercedes was observed parked in front of 4020 Piney Road. The black Mercedes was bearing Virginia registration plates UYM3769. A query was conducted through the Virginia Department of Motor Vehicles and returned the following information: 2004 Mercedes Benz, registered to Sharda D. Christian, 4020 Piney Road, Richmond, Va. 23222. The issued date on this Mercedes from the Department of Motor Vehicles is March 27, 2018. According to a records check I conducted, Sharda Christian claimed to be the wife of PETERSON.

12. At approximately 3:59 p.m., a white work van arrived at 4020 Piney Road. At approximately 4:05 p.m., a black male exited the white work van. The unidentified male was bald, large build, had a beard, and was wearing grey sweatpants and a black tee shirt. The male

was positively identified as Leonus PETERSON. At approximately 4:08 p.m., PETERSON entered 4020 Piney Road, Richmond.

13. At approximately 5:07 p.m., PETERSON exited his residence, entered the white work van, and then exited the work van and re-entered his residence carrying a bag. At approximately 5:10 p.m., PETERSON exited his residence, walked to the work van, and then walked to the back of the black Mercedes and opened the trunk. After PETERSON was finished in the trunk, he entered the black Mercedes vehicle and drove away from the residence.

14. PETERSON traveled to a car wash on Laburnum Avenue where he washed his car. At 5:50 p.m., PETERSON left the car wash and travelled to Shockoe Bottom, where surveillance momentarily lost sight of him. Law enforcement then located PETERSON's Mercedes parked in the area of 20th and East Broad Street. At approximately 8:00 p.m., PETERSON emerged from the area of residences located on 20th Street, entered his vehicle and drove to the area of Porter Street and parked in front of 2522 Porter Street. PETERSON exited the vehicle but surveillance units were unable to determine where PETERSON walked to. At approximately 8:41 p.m. PETERSON reappeared, got back into the Mercedes and drove to the area of Bainbridge and 28th Street. Surveillance lost PETERSON momentarily, and found his vehicle traveling down Bainbridge and headed back toward Porter and Clopton Streets. This time, PETERSON parked directly across from the residence located at 2513 Porter Street. Surveillance momentarily lost PETERSON. When they turned around, they noticed PETERSON was no longer in the vehicle. At approximately 9:01 p.m., PETERSON reemerged from the area of 2513 Porter Street and again got in his vehicle and drove to the area of West 29th and Midlothian Turnpike.

15. PETERSON parked on West 29th Street near Midlothian Turnpike. At this time, SA Davis observed an older white male enter the passenger's side of the black Mercedes PETERSON was operating. SA Davis lost surveillance momentarily but reacquired surveillance. The unidentified white male exited the vehicle shortly after entering it. SA Davis estimated the unidentified white male was in the vehicle with PETERSON no longer than 5 minutes. This is consistent with Target 3's description of PETERSON's method of operation when selling heroin.

16. At approximately 9:08 p.m., PETERSON departed West 29th Street. At approximately 9:15 p.m., PETERSON arrived back in Shockoe Bottom. At this time, PETERSON was driving slowly and made several turns. PETERSON parked on 19th Street then waited in the black Mercedes. A few minutes later, PETERSON drove to another street and parked but did not exit the vehicle. Based on my training and experience, I believe that PETERSON was conducting counter-surveillance, which is often employed by drug traffickers.

17. Based on my and other agents' observations, it appears that PETERSON is no longer utilizing the white work van or the black SUV, but rather the black Mercedes and the white Acadia SUV.

18. On Tuesday, May 29, 2018, Tri-County Task Force members along with DEA agents (collectively "agents") conducted surveillance of Leonus PETERSON at his known residence of 4020 Piney Road, Richmond, Virginia. Surveillance began at approximately 3:40 p.m. Agents observed a white sports utility vehicle (SUV) parked in front of 4020 Piney Road. The white GMC SUV Acadia bears Virginia registration plates XSA5637 and is registered to SHARDA D CHRISTIAN and LEONUS STEVENSON PETERSON of 4020 Piney Rd, Richmond VA 23222. At approximately, 3:50 p.m., PETERSON placed two small children in

child seats in the rear seat of the white GMC Acadia. PETERSON then entered the vehicle and drove to a nearby Wendy's located at 5212 Brook Rd., Richmond, Virginia and entered the drive thru lane at approximately 4:07 p.m. Shortly after, PETERSON drove from the Wendy's to the Walmart Superstore parking lot located at 5221 Brook Road, Richmond, Virginia and arrived at the Walmart at approximately 4:24 p.m. PETERSON exited his vehicle and walked to the driver's side window of a grey Lincoln SUV bearing Virginia registration VGW1283. The driver of the grey Lincoln was a white male with long hair later identified as ROBERT DAVIS.

19. PETERSON appeared to hand DAVIS an object and then walked back this 2008 GMC white Acadia while the children were still in the vehicle. The meeting between PETERSON and DAVIS lasted less than one minute. PETERSON departed this location and drove to the Walmart at 1504 N Parham Rd., Richmond, Virginia, arriving there at approximately 4:42 p.m. Agents briefly lost sight of PETERSON when PETERSON went into the Walmart. PETERSON exited the Walmart moments later, empty handed, entered the Acadia and left the parking lot. At 5:11 p.m., PETERSON arrived at 4020 Piney Road, where PETERSON brought the two children into the residence. At 6:09 p.m., PETERSON exited his residence with a duffel bag and drove the Acadia to 119 N 20th Street, Richmond.

20. Robert DAVIS is a known heroin user. On August 31, 2017, Chesterfield County Police responded to DAVIS' residence located at 14200 Key Deer Drive, Midlothian, Virginia. DAVIS suffered a heroin overdose at his residence located at 14200 Key Deer Drive, Midlothian, Virginia. While at the hospital, DAVIS admitted to the responding officer that he was a heroin addict. The extremely brief meeting between DAVIS and PETERSON in a parking lot is consistent with drug activities of both dealers/sellers and purchasers/users.

21. Through court-authorized electronic surveillance, agents located the black Mercedes that PETERSON also utilizes, parked in the business parking lot of Union Bank in Ruther Glen, Caroline County, Virginia. An employee of Union Bank confirmed that Sharda Christian is employed at that Union Bank location. It appears that when PETERSON has the children, he utilizes the 2008 white GMC Acadia where the car seats are. It appears PETERSON is responsible for the children during the daytime hours while his wife is at work.


22. PETERSON has been dealing heroin for approximately 5 years. As recently as May 2018, he was continuing to engage in activities consistent with his method of drug trafficking. He regularly utilized his white Chevrolet work van and his black SUV. However, recent surveillance has not located the black SUV and PETERSON does not appear to be gainfully employed; therefore, the white Chevrolet work van is no longer used by PETERSON. However, the white 2008 GMC SUV Acadia, which PETERSON was driving on May 29, 2018, is registered to him and his wife. Based on the foregoing and PETERSON's established mode of operation, I submit that there is probable cause to believe that evidence of PETERSON's drug trafficking activities in violation of 21 U.S.C. § 841(a)(1) will be obtained through the application and tracking of a GPS device on the other vehicle PETERSON utilizes to conduct his drug sales, to wit:

- A 2008 white GMC SUV Acadia bearing VIN 1GKER13768J219257 and Virginia Registration XSA5637;


23. Because this is an on-going investigation, premature disclosure of this warrant could result in the destruction of evidence, and/or PETERSON fleeing the area or at least changing his methods or moving his operation. Accordingly, I respectfully request that the Court

allow delayed notice of the GPS tracking warrants until the completion of this investigation, which I believe will be concluded in the next 90 days.

24. The residence where these vehicles are typically kept is located in a neighborhood of single family homes that are spaced very close together. There is considerable foot and vehicle traffic in the area. I believe that it will be nearly impossible to attach a GPS device on either vehicle except in the middle of the night under the cover of darkness when the traffic in the area is at a minimum. Furthermore, PETERSON routinely uses one or the other vehicle during the day and into the nighttime hours. Accordingly, I respectfully request nighttime authorization to install the GPS devices.


Steven J. Aziz
Special Agent, DEA

Sworn and subscribed before me this 4 day of June, 2018 in the City of Richmond, Virginia.


/s/
Roderick C. Young
United States Magistrate Judge